

SHORT TITLE OF 2008 AMENDMENT

Pub. L. 110-338, §1, Oct. 3, 2008, 122 Stat. 3731, provided that: “This Act [enacting section 76m of this title, amending this section and section 76r of this title, and enacting provisions set out as a note under this section] may be cited as the ‘John F. Kennedy Center Reauthorization Act of 2008’.”

SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108-410, §1, Oct. 30, 2004, 118 Stat. 2303, provided that: “This Act [amending sections 76q-1 and 76r of this title] may be cited as the ‘John F. Kennedy Center Reauthorization Act of 2004’.”

SHORT TITLE OF 2002 AMENDMENT

Pub. L. 107-224, §1, Sept. 18, 2002, 116 Stat. 1340, provided that: “This Act [enacting section 76q-1 of this title and amending sections 76j, 76r, and 76s of this title] may be cited as the ‘John F. Kennedy Center Plaza Authorization Act of 2002’.”

SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105-226, §1, Aug. 12, 1998, 112 Stat. 1513, provided that: “This Act [amending sections 76j, 76l, and 76r of this title] may be cited as the ‘John F. Kennedy Center for the Performing Arts Authorization Act of 1998’.”

SHORT TITLE OF 1997 AMENDMENT

Pub. L. 105-95, §1, Nov. 19, 1997, 111 Stat. 2148, provided that: “This Act [amending sections 76i to 76k and 76s of this title and section 193v of former Title 40, Public Buildings, Property, and Works] may be cited as the ‘John F. Kennedy Center Parking Improvement Act of 1997’.”

SHORT TITLE OF 1994 AMENDMENT

Pub. L. 103-279, §1, July 21, 1994, 108 Stat. 1409, provided that: “This Act [enacting sections 76r and 76s of this title, amending this section, sections 76j, 76k, 76l, and 76p of this title, and sections 193r, 193u, and 193v of former Title 40, Public Buildings, Property, and Works, enacting provisions set out as notes under this section, and amending provisions set out as a note under this section] may be cited as the ‘John F. Kennedy Center Act Amendments of 1994’.”

SHORT TITLE OF 1984 AMENDMENT

Pub. L. 98-473, title I, §101(c), Oct. 12, 1984, 98 Stat. 1837, 1876, provided that: “The following [amending section 76o of this title] may be cited as ‘The John F. Kennedy Center Act Amendments of 1984’.”

SHORT TITLE OF 1963 AMENDMENT

Pub. L. 88-100, §5, Aug. 19, 1963, 77 Stat. 128, provided that: “This Act [amending this section and sections 76l and 76m of this title] may be cited as the ‘National Cultural Center Amendments Act of 1963’.”

SHORT TITLE

Section 1(a), formerly §1, of Pub. L. 85-874, as amended by Pub. L. 88-260, §1(1), Jan. 23, 1964, 78 Stat. 4; redesignated §1(a), Pub. L. 103-279, §2(a)(1), July 21, 1994, 108 Stat. 1409, provided that: “This Act [enacting this subchapter] may be cited as the ‘John F. Kennedy Center Act’.”

EXISTING AUTHORITIES

Pub. L. 110-338, §5, Oct. 3, 2008, 122 Stat. 3732, provided that: “Nothing in this Act [see Short Title of 2008 Amendment note above] limits or otherwise affects the authority or responsibility of the National Capital Planning Commission or the Commission of Fine Arts.”

TERMS OF OFFICE FOR NEW GENERAL TRUSTEES

Pub. L. 107-117, div. D, title II, §201(b), Jan. 10, 2002, 115 Stat. 2354, provided that: “Section 2(b) of the John

F. Kennedy Center Act (20 U.S.C. 76h(b)) shall apply to each general trustee of the John F. Kennedy Center for the Performing Arts whose position is established by the amendment made by subsection (a)(2) [amending this section] (referred to in this subsection as a ‘new general trustee’), except that the initial term of office of each new general trustee shall—

- “(1) commence on the date on which the new general trustee is appointed by the President; and
- “(2) terminate on September 1, 2007.”

NATIONAL CULTURAL CENTER; DESIGNATION OR REFERENCES

Pub. L. 88-260, §2, Jan. 23, 1964, 78 Stat. 5, provided that: “In addition to the amendments made by the first section of this Act [enacting sections 76n to 76q, and amending sections 76h to 76q of this title], any designation or reference to the National Cultural Center in any other law, map, regulation, document, record, or other paper of the United States shall be held to designate or refer to such Center as the John F. Kennedy Center for the Performing Arts.”

CONGRESSIONAL FINDINGS

Section 1(b) of Pub. L. 85-874, as added by Pub. L. 103-279, §2(a)(2), July 21, 1994, 108 Stat. 1409, provided that: “Congress finds that—

- “(1) the late John Fitzgerald Kennedy served with distinction as President of the United States and as a Member of the Senate and the House of Representatives;
- “(2) by the untimely death of John Fitzgerald Kennedy the United States and the world have suffered a great loss;
- “(3) the late John Fitzgerald Kennedy was particularly devoted to education and cultural understanding and the advancement of the performing arts;
- “(4) it is fitting and proper that a living institution of the performing arts, designated as the National Center for the Performing Arts, named in the memory and honor of this great leader, shall serve as the sole national monument to his memory within the District of Columbia and its environs;
- “(5) such a living memorial serves all of the people of the United States by preserving, fostering, and transmitting the performing arts traditions of the people of the United States and other countries by producing and presenting music, opera, theater, dance, and other performing arts; and
- “(6) such a living memorial should be housed in the John F. Kennedy Center for the Performing Arts, located in the District of Columbia.”

§ 76i. John F. Kennedy Center for the Performing Arts**(a) In general**

The Board shall construct for the Smithsonian Institution, with funds raised by voluntary contributions, a building to be designated as the John F. Kennedy Center for the Performing Arts on a site in the District of Columbia bounded by the Inner Loop Freeway on the east, the Theodore Roosevelt Bridge approaches on the south, Rock Creek Parkway on the west, New Hampshire Avenue and F Street on the north, which shall be selected for such purpose by the National Capital Planning Commission. The National Capital Planning Commission shall acquire by purchase, condemnation, or otherwise, lands necessary to provide for the John F. Kennedy Center for the Performing Arts and related facilities. Such building shall be in accordance with plans and specifications approved by the Commission of Fine Arts.

(b) Parking garage additions and site improvements**(1) In general**

Substantially in accordance with the plan entitled “Site Master Plan—Drawing Number 1997-2 April 29, 1997,” and map number NCR 844/82571, the Board may design and construct—

(A) an addition to the parking garage at each of the north and south ends of the John F. Kennedy Center for the Performing Arts; and

(B) site improvements and modifications.

(2) Availability

The plan shall be on file and available for public inspection in the office of the Secretary of the Center.

(3) Limitation on use of appropriated funds

No appropriated funds may be used to pay the costs (including the repayment of obligations incurred to finance costs) of—

(A) the design and construction of an addition to the parking garage authorized under paragraph (1)(A);

(B) the design and construction of site improvements and modifications authorized under paragraph (1)(B) that the Board specifically designates will be financed using sources other than appropriated funds; or

(C) any project to acquire large screen format equipment for an interpretive theater, or to produce an interpretive film, that the Board specifically designates will be financed using sources other than appropriated funds.

(c) Expansion project**(1) Authority to construct****(A) In general**

Subject to the requirements of this subsection, the Board may undertake such activities as may be necessary to construct the expansion project.

(B) Responsibilities of the Board

The Board may construct the expansion project, and shall be responsible for the planning, design, engineering, and construction of the expansion project.

(C) Limitations**(i) Mission**

All activities carried out under this paragraph shall be within the mission of the John F. Kennedy Center for the Performing Arts to serve as the national center for the performing arts.

(ii) Funding

The costs of planning, design, engineering, and construction of the expansion project shall be paid for using nonappropriated funds.

(2) Annual operations and maintenance costs**(A) Estimates**

Before awarding a contract for construction of the expansion project, the Board shall estimate any additional annual oper-

ations and maintenance costs (or savings) associated with the project.

(B) Budget requests

The Board shall account for any additional costs identified under subparagraph (A) in making a budget request for fiscal year 2014 and each fiscal year thereafter.

(C) Budget priorities

The Board shall base a final determination on whether to proceed with the expansion project on the ability of the Board to accommodate any additional costs identified under subparagraph (A) within the other budget priorities of the Board.

(3) Acknowledgments

The Board may acknowledge private contributions used in carrying out the expansion project in the interior of the project, but may not acknowledge such private contributions on the exterior of the project. Any acknowledgment of private contributions under this paragraph shall be consistent with the requirements of section 76j(b) of this title.

(4) Expansion project defined

In this subsection, the term “expansion project” means an addition to the south end of the building of the John F. Kennedy Center for the Performing Arts that—

(A) is less than 100,000 square feet;

(B) will improve the existing (as of June 8, 2012) accessibility and education functions of the Center; and

(C) will become part of the existing (as of June 8, 2012) structure of the Center.

(Pub. L. 85-874, §3, Sept. 2, 1958, 72 Stat. 1699; Pub. L. 88-260, §1(2), Jan. 23, 1964, 78 Stat. 4; Pub. L. 105-95, §2, Nov. 19, 1997, 111 Stat. 2148; Pub. L. 112-131, §2, June 8, 2012, 126 Stat. 377.)

AMENDMENTS

2012—Subsec. (c). Pub. L. 112-131 added subsec. (c).

1997—Pub. L. 105-95 substituted section catchline for former section catchline, designated existing provisions as subsec. (a) and inserted heading, and added subsec. (b).

1964—Pub. L. 88-260 substituted “John F. Kennedy Center for the Performing Arts” for “National Cultural Center” wherever appearing.

§ 76j. Duties of Board**(a) Programs, activities, and goals****(1) In general**

The Board shall—

(A) present classical and contemporary music, opera, drama, dance, and other performing arts from the United States and other countries;

(B) promote and maintain the John F. Kennedy Center for the Performing Arts as the National Center for the Performing Arts—

(i) by developing and maintaining a leadership role in national performing arts education policy and programs, including developing and presenting original and innovative performing arts and educational programs for children, youth, families, adults, and educators designed specifically